



THE STATE BAR OF CALIFORNIA
LABOR AND EMPLOYMENT LAW SECTION
PRESENTS

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Unemployment Hearings

FEBRUARY 11, 2009

State Bar of California

180 Howard Street
San Francisco, CA 94105
Tel: (415) 538-2590
Fax: (415) 538-2368

Register Online: www.calbar.ca.gov/laborlaw

DESCRIPTION

FEBRUARY 11, 2009

1:00–3:00

When you represent an employer or employee in wrongful termination or breach of contract litigation, it is months or years before depositions are taken and years before the matter comes to trial. In the meantime, other related proceedings may be taking place. The first contested hearing relating to the matter is often the unemployment hearing. The employee, whether he/she was fired or quit, will likely apply for unemployment and, if the employer decides to “protest” the matter, the employer will be a party to the case. The Employment Development Department (EDD) is tasked with determining qualification for those benefits based on the circumstances under which the last employment ended – was it a termination for misconduct? Was it a quit for good cause?

Attorneys' representing these parties should not ignore the importance of the unemployment hearing. It is an opportunity to understand the other side's case, hear what they have to say, see what documents they have and evaluate their witnesses. And it is an opportunity for your side to be heard. The unemployment hearing is also a good opportunity for new attorneys to get experience handling a contested hearing, including questioning witnesses and appearing before a judge.

This two hour seminar, conducted by administrative law judges for the California Unemployment Insurance Appeals Board (CUIAB) is an opportunity to find out about what matters CUIAB hears and to learn the basics of unemployment law. The judges will discuss what to expect at the hearing and how to best represent your clients at those hearings. The training will conclude with mock hearings, demonstrating how hearings are conducted.

PRICING

\$65 – Section Members

\$95 – Non Section Members

Register Online www.cba.org

SPEAKERS

AMY J. OPPENHEIMER

Ms. Oppenheimer has been an administrative law judge with CUIAB since 1992. She is on the Executive Committee of the Labor and Employment Section of the bar. She has over 25 years experience working in the field of employment law, emphasizing preventing and responding to workplace harassment and discrimination. As an attorney, she had a private practice litigating employment cases. She has acted as a neutral in a variety of capacities, including investigating claims of harassment and discrimination, mediation and arbitration.

Ms. Oppenheimer is the author of many articles about harassment, bias and discrimination, and co-authored a book, *Investigating Workplace Harassment, How to be Fair, Thorough and Legal*, published in 2003 by Society of Human Resource Practice (SHRM). Ms. Oppenheimer graduated from UC Berkeley, *magna cum laude*, Phi Beta Kappa (1975) and earned her law degree from UC Davis in 1980.

JUDGE MARCUS GUNKEL

Judge Marcus Gunkel is the Presiding Judge of the Oakland Office of Appeals, CUIAB. He has a B.A. from Stanford University in International Relations and Slavic Languages and Literature and a Diploma in Russian from Moscow (former USSR) State University. His J.D. is from Santa Clara School of Law, 1983. Judge Gunkel was a partner in private practice from 1983 to 1992. He was appointed Administrative Law Judge CUIAB, in 1992. He was appointed Presiding Administrative Law Judge for the Oakland Office of Appeals in July 2007.

While in private practice, Judge Gunkel argued numerous labor and employment law cases before the State Supreme Court, State Appellate Courts, Ninth Circuit Court of Appeals, NLRB, ALRB, and Wage Appeals Board. He has given hundreds of lectures and seminars to Bar Associations, union and business groups, and non-profit organizations, on labor and employment law issues.

JUDGE ADELE GRUNBERG

Judge Adele Grunberg has been an Administrative Law Judge with the California Unemployment Appeals Board since January 1992. Prior to that, she was a trial lawyer for 13 years with the California Department of Transportation specializing in Government Tort, Property and Landlord/Tenant Law. For the last 10 years, Judge Grunberg has also been a Mediator specializing in mediations involving people who are in continuing relationships and want to improve their communications skills. She has also investigated claims of harassment and discrimination in the workplace and arbitrated for the International Commission on Holocaust Era Insurance Claims. She has served as a volunteer mentor for parolees in the State Bar Volunteers in Parole program.

Judge Grunberg graduated with a BA from Boston University in 1971, a JD degree from Golden Gate University in 1977, an MA in Psychology and a Certificate in Conflict Resolution from the John F Kennedy Graduate School of Psychology in 2000.

REGISTRATION INFORMATION

CANCELLATIONS/REFUND POLICY:

Cancellations and requests for refunds must be received in writing no later than February 4, 2009 and are subject to a \$25 service charge. Refunds will not be available after February 4, 2009.

QUESTIONS:

For registration information call (415) 538-2508. Telephone registrations will not be accepted. For program content and/or Section information call (415) 538-2590.

SPECIAL ASSISTANCE:

For special assistance, please call (415) 538-2590.

ON-SITE:

On-site registration will be on a space available basis. Call to confirm space availability.

AUDIO CDs:

Audio CDs of the program will be available with a complete set of written materials from Versa-Tape. To order, please call 1-800-468-2737.



REGISTRATION FORM

Note: One registrant per form. Photocopies may be used.

Bar Number: _____

Name: _____

Firm: _____

Firm Address: _____

City, State: _____ Zip Code: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

(Required for email confirmation)

Program package includes 2.0 hours of MCLE credit and program materials.

PRE-REGISTRATION FEES (check the appropriate circle)

- ☐ **\$65** Labor and Employment Law Section Members
- ☐ **\$95** Non-Section Members (includes enrollment in the Labor and Employment Law Section for 2009)

AMOUNT ENCLOSED OR TO BE CHARGED \$ _____

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Deadline: In order to pre-register, your form and check, payable to the State Bar of California, or credit card information, must be received by February 4, 2009.

Register Online: www.calbar.ca.gov/laborlaw

Mail To: Program Registrations, State Bar of California,
180 Howard Street, San Francisco, CA 94105.

Fax To: Program Registration at 415-538-2368. In order to fax your registration, credit card information is MANDATORY.
(Photocopies of checks will NOT be accepted.)



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LABOR AND EMPLOYMENT LAW SECTION
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REPRESENTING EMPLOYEES AND EMPLOYERS IN **Unemployment Hearings**

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